

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL NO. 5:06CR41-12-V**

UNITED STATES OF AMERICA

vs.

**JORDAN MICHELLE WISEMAN,
Defendant.**

ORDER

THIS MATTER is before the Court on Defendant's "Appeal of Magistrate's Detention Order: Request for Hearing," filed September 27, 2007. (Document #260) After a series of hearings before the Magistrate Judge beginning in mid-August, Defendant's most recent detention hearing was held on September 17, 2007. At the conclusion of that hearing, Defendant was ordered detained due to violation of conditions of pretrial release. However, the Magistrate Judge voluntarily stayed his ruling revoking bond in order to allow Defendant to appeal to the district court.

Upon giving notice of Defendant's appeal, defense counsel essentially asked the Court to defer ruling on the merits of whether Defendant was eligible for bond under the Bail Reform Act (and Eighth Amendment) post-plea. Instead, counsel requested that the undersigned allow the Magistrate Judge's stay of the bond revocation order remain in effect until Defendant could undergo an outpatient procedure that was already scheduled for mid-October. Defendant's motion indicated that upon completion of the procedure, Defendant would concede that custody was appropriate and withdraw her appeal.

The Court has since been advised by the supervising officer within U.S. Probation that on Friday, October 19, 2007, Defendant, in fact, underwent said medical procedure that precipitated her appeal. Defendant has indicated her willingness to turn herself in to the U.S. Marshal's Service in compliance with the Magistrate Judge's September 17, 2007 Order. Therefore, Defendant's appeal is rendered moot.

IT IS, THEREFORE, ORDERED that the Defendant's appeal of the detention order entered by the Magistrate Judge is hereby **DENIED as moot** and the stay is lifted.

Signed: October 24, 2007

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the name.

Richard L. Voorhees
United States District Judge

